

# SENATE BILL REPORT

## SB 6929

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As Reported By Senate Committee On:  
Early Learning & K-12 Education, February 07, 2008

**Title:** An act relating to education.

**Brief Description:** Restoring local control to public schools by repealing the common school code.

**Sponsors:** Senators McAuliffe, Tom, Rasmussen and Zarelli.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education:2/6/08, 2/7/08 [DPS, DNP].

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** That Substitute Senate Bill No. 6929 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; King, Ranking Minority Member; Brandland, Eide, Hobbs, Holmquist, Kauffman, McDermott, Oemig, Rasmussen and Zarelli.

**Minority Report:** Do not pass.

Signed by Senator Weinstein.

**Staff:** Susan Mielke (786-7422)

**Background:** Federal and state constitutions, laws, regulations, and administrative rules, together with local school district policies provide the parameters for the operation, management, and instructional programs of Washington public schools.

The governing bodies for education in Washington include the Governor, the Legislature, and the Superintendent of Public Instruction (SPI), all of which were created in the Washington State Constitution. Additionally, there are state statutory roles and responsibilities for the SPI, the State Board of Education (SBE), the Professional Educator Standards Board (PESB), the Workforce Training and Education Coordinating Board (WTECB), the Washington State School Directors Association, public institutions of higher education, the Educational Service Districts (ESDs), and the 295 school districts and the district board of directors in the education code.

Additionally, there are state statutes that address various programs including private school programs, the special education program, the learning assistance program, the transitional

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bilingual instruction program, the student transportation program, the highly capable program, the residential education programs, programs for juvenile inmates, skill center programs, dropout prevention programs, community education programs, and the food services and meals programs.

There are state statutes that address employees, including school district superintendents, principals, certificated staff, classified staff, and contractors.

Other state statutes that address compulsory school attendance and admission, health screening and requirements, compulsory course work and activities, associated student bodies, parent access, sexual equality, education technology, and special projects.

The current code also contains state statutes that address fiscal issues, including school district budgets, school district warrants, apportionment to districts and district accounting, distribution of forest reserve funds, bond issues, validating indebtedness, local effort assistance, the common school construction fund, and capital fund aid by nonhigh school districts.

Many, but not all, of these statutes are contained in the education code: Title 28A of the Revised Code of Washington.

**Summary of Bill (Recommended Substitute):** The Select Committee on Repealing Education Statutes is created. The Committee is comprised of four legislators; the SPI or the SPI's designee; a school district director, school district superintendent, principal, teacher, classified school employee, parent and an ESD superintendent, each appointed by their respective professional or statewide associations; and a representative from the SBE, PESB, and the WTECB. By December 1, 2010, the Select Committee must make recommendations to the Legislature regarding statutes that should be retained or enacted during the 2011 legislative session. The recommendations must meet the state constitutional requirements.

**EFFECT OF CHANGES MADE BY THE SENATE EDUCATION COMMITTEE (Recommended Substitute):** The repeal of the education code, Title 28A RCW is removed. The recodification of the one current statute giving school districts broad discretionary power is removed. A Select Committee is created and is comprised of four legislators, education stakeholders, and representatives of state-level agencies. The Committee must make recommendations on education statutes that should be retained or enacted during the 2011 legislative session.

**Appropriation:** None.

**Fiscal Note:** Requested on February 5, 2008.

**Committee/Commission/Task Force Created:** Yes.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** PRO: Since 1993, when the education reform law was passed, we have tried numerous times to deregulate our schools. This is an opportunity to give our school districts the powers they need, and remove the barriers that are in their way. The Basic Education Finance Task Force is currently working to

redefine the definition of basic education, and this is a perfect time to also review the state statutes for schools. It is like zero-based budgeting, but it is zero-based governing

OTHER: For years we have gone through different processes to try to do just this thing, but we were never very successful. Every year the Legislature passes more and more procedural requirements, mandates, and reports. We are killing our schools with these. But throwing everything out may be going too far. The common school manual is a result of many years of skirmishes over each of those individual issues. A more thoughtful approach would be to get a group of stakeholders to bring a proposal to the Legislature. Our biggest concern is the general and uniform clause of the constitution. We appreciate that you do not want to repeal the home-school law, but there are other laws that touch home-schoolers that are not in the home-school chapter of the code.

**Persons Testifying:** PRO: Senator McAuliffe, prime sponsor; Barbara Mertens, Washington Association of School Administrators.

OTHER: Bob Butts, Office of the Superintendent of Public Instruction; DiAnna Brannan, Christian Homeschool Network.